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Attorneys for Reno-Sparks Indian Colony and Atsa koodakuh wyh Nuwu

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BARTELL RANCH LLC, et al.,) Case No.: 3:21-cv-80-MMD-CLB
) **(LEAD CASE)**

Plaintiffs,)

v. }
v. }
v. }

and)
)

LITHIUM NEVADA CORPORATION,)
)

Intervenor-Defendant.)

WESTERN WATERSHEDS PROJECT, et al.,) Case No.: 3:21-cv-103-MMD-CLB
(CONsolidated Case)

Plaintiffs,) (CONSOLIDATED CASE)

RENO SPARKS INDIAN COLONY, et al.)

22 Attorneys Will Falk and Terry J. Lodge, pursuant to LR IA 11-6, respectfully move
23 to withdraw as counsel for Atsa Koodakuh wyh Nuwu/People of Red Mountain in this
24 matter.

25 Falk and Lodge represent that there is good cause for withdrawal
26 as irreconcilable differences with the People of Red Mountain have arisen that make
27 Falk's and Lodge's representation unreasonably difficult as set forth in Nevada Rule of
28 Professional Conduct (NRCP) 1.16(b)(6). There is also a significant risk that the
29 representation of one of Falk's and Lodge's clients will be materially limited by their
30 responsibilities to their other client, the Reno-Sparks Indian Colony under Rule
31 1.7(a)(2).

On December 17, 2021, Falk and Lodge delivered a letter to the People of Red Mountain notifying them that Falk and Lodge planned on filing a motion to withdraw on January 7, 2022.

LR IA 11-6(b) requires that if an attorney seeks to withdraw after appearing in case, the attorney must file a motion and serve it on the affected client and opposing counsel. Under Federal Rule of Civil Procedure 5(b)(2)(C), service is complete upon mailing the motion to an officer of the People of Red Mountain. On January 7, 2022, Falk served this motion to withdraw by mailing it to the last known address of Daranda Hinkey, Secretary of the People of Red Mountain.

No trial or hearing is currently set in this case. Falk and Lodge's withdrawal should not result in delay of discovery. Currently, the Federal Defendants have until January 26, 2022 to lodge the administrative record, and motions for summary judgment are not due until 30 days after the Federal Defendants have lodged the administrative record. So, the People of Red Mountain should have adequate of time to identify new counsel ahead of dispositive deadlines.

If this Court grants this Motion, Falk and Lodge respectfully request that the People of Red Mountain be afforded the 14 days described in LR IA11-6(b) to find new counsel.

Respectfully submitted on this 7th day of January, 2022.

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15 Attorneys for Reno-Sparks Indian Colony and Atsa koodakuh wyh Nuwu
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18 **CERTIFICATE OF SERVICE**

19
20 I hereby certify that on Friday, January 7, 2022, I filed the foregoing using the United
21 States District Court CM/ECF, which caused all counsel of record to be served
22 electronically.

23 /s/William Falk
24 Utah Bar No. 16678
25